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MEMORANDUM

DATE: July 13, 2017

TO: MGSA Board of Directors

FROM: Michael S. Frank, Executive Officer

SUBJECT: Executive Officer Workload, Hours, and Compensation

Background

The Joint Powers Agreement creating the Marin General Services Authority establishes an Executive Officer who is responsible for the administration of the Authority. The position is contract in nature and as such does not have health, retirement, or other benefits like sick, vacation, or administrative leave. In addition, most office equipment and supplies (e.g. computer and software) are paid for by the contractor.

Going back to 2007, the position's contract amount was set as one half the mean of the city/town managers' salaries (not including any bonuses or any other health or retirement benefits or payouts) with a benefit factor. The contract was assumed to be half time in nature.

This exercise was last conducted in May 2012 when the contract amount was increased from \$110,004 to \$115,500. In 2013, the Executive Officer voluntarily reduced his hours 20% resulting in an annual contract amount of \$92,401. In 2015, based on workload, the Executive Officer reinstated most of the reduced hours and the contract amount increased to \$110,230.

In February 2016, MGSA entered into a contract for Executive Officer services with the current Executive Officer, Michael S. Frank for \$110,232 assuming similar work effort.

Discussion

Although not explicitly outlined in the contract, the expectation of those involved in negotiations believed that the hours required to fulfil the contract would be less than half time. This assumption has not turned out to be the case.

The Executive Officer would like the opportunity to discuss with the Board issues regarding workload, hours, and compensation and explore various potential options.

A blank contract amendment and resolution are included in the packet in the event the Board chooses to make any contract changes.

Attachment

1. Amendment No. 1 to Agreement for Professional Services Between MGSA and Michael S. Frank
2. Resolution 2017 – 10 titled, “Amendment No. 1 to the Professional Services Agreement Between MGSA and Michael S. Frank for Executive Officer Services.”



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MARIN GENERAL SERVICES AUTHORITY

**AMENDMENT NO. 1 TO AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN MGSA AND MICHAEL S. FRANK**

This document constitutes Amendment No. 1 entered into as of the 13th day of July, 2017, to the Professional Services Agreement entered into as of the 8th day of February, 2016, by and between the Marin General Services Authority hereinafter called "MGSA" and Michael S. Frank.

RECITALS

This Amendment is entered into with reference to the following facts and circumstances:

A. MGSA desires to amend the provisions of the Professional Services Agreement to increase the monthly rate provided for Executive Officer services. Effective August 1, 2017, the monthly rate for the Executive Officer will increase to \$_____/month.

B. Michael S. Frank is desirous of these changes as well.

C. All other terms and conditions of the Agreement shall remain in force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed on the date first above written by their respective officers duly authorized in that behalf.

DATED: _____

DATED: _____

MARIN GENERAL SERVICES AUTHORITY

MICHAEL S. FRANK

President, MGSA Board

Executive Officer Michael S. Frank



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**MARIN GENERAL SERVICES AUTHORITY
AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN MGSA AND MICHAEL S. FRANK FOR EXECUTIVE OFFICER SERVICES
RESOLUTION 2017 - 10**

WHEREAS, MGSA and Michael S. Frank entered into a Professional Services Agreement on February 8, 2016;

WHEREAS, said agreement provides for professional services as the Executive Officer for the MGSA; and

WHEREAS, the MGSA and Michael S. Frank wish to amend said agreement,

NOW THEREFORE, BE IT RESOLVED, that the MGSA Board of Directors authorizes the President of the MGSA to execute Amendment No. 1 amending the monthly contract rate to \$_____.

Adopted this 13th day of July 2017.

Ayes:

Noes:

Absent:

Sean Condry, MGSA Board Chair

Attested By:

Michael S. Frank, Executive Officer